

REMARKS

Claims 1-39 were pending prior to this submission. With this response, claims 1, 3-6, 8, 9, 12-21, 23-29, 34, 35, 38 and 39 have been amended. Claims 2, 14 and 22 have been cancelled without prejudice or disclaimer. The subject matter of cancelled claims 2, 14 and 22 has been incorporated into the corresponding base claims 1, 13 and 21, respectively. Independent claims 29 and 38 have been amended to incorporated similar features as those added to claim 1. Newly added claims 40 and 41 are computer program product counterparts to apparatus claims 38 and 39. No new matter has been introduced by these amendments.

Entry of the foregoing amendments, and reconsideration of the above-identified application, are respectfully requested in view of the following remarks.

I. Allowable Subject Matter:

Claims 2-3, 5-6, 14, 22 and 34-35 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. [Office Action, page 9].

Applicants acknowledge the Examiner's indication of allowable subject matter in at least the claims set forth above. Applicants have further taken the finding of allowable subject matter into consideration when composing the amended the claims now presented herein.

II. Rejections Under 35 U.S.C. §103:

Claims 1, 4, 7-8, 9-12, 13, 15-21, 23-33, 36, 38 and 39 have been rejected under 35 U.S.C. §103(a) as being unpatentable over EP 1107522A1 to Rune *et al.* (hereafter "Rune") in view of U.S. Patent 6,807,159 to Shorey *et al.* (hereafter "Shorey").

Claim 37 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Rune in view of Shorey and further in view of U.S. Patent No. 5,771,235 Tang *et al.* (hereafter "Tang").

In the interest of expediting prosecution of this application, Applicants have amended the pending claims as set forth above. Among other things, Applicants have amended

the pending claims in accordance with the Examiner's suggestion to rewrite the allowable subject matter in independent form including all of the limitations of the base claim and any intervening claims. In that regard, the allowable subject matter of claim 2 has been rewritten in independent form by incorporating it into base claim 1; the allowable subject matter of claim 14 has been rewritten in independent form, by incorporating claim 14 into base claim 13; and the allowable subject matter of claim 22 has been rewritten in independent form, by incorporating it into base claim 21. In addition, independent claims 29 and 38 have been amended to incorporate the allowable subject matter previously recited in allowable claim 2.

In view of the above, Applicants respectfully assert that none of the Rune, Shorey or Tang references, taken alone or in combination, teach or suggest all of the features of amended claims 1, 13, 21, 29 or 38, and any claims depending thereupon. Accordingly, withdrawal of the rejections under §103 is now respectfully requested.

III. New Claims:

Applicants have added new claims 40 and 41 to the pending application. Claims 40 and 41 are counterpart computer program product claims that correspond to apparatus claims 38 and 39, respectively. Applicants respectfully submit that these new claims are also distinguishable from the cited references for at least the reasons as set forth above with respect to claims 38 and 39.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe that no outstanding objections or rejections remain in this application. Accordingly, Applicants respectfully submit that all of the remaining claims, as amended herein, are now in condition for allowance, and an early action to that effect is hereby solicited.

If a telephone conference would facilitate the resolution of any matters remaining after this response, the Examiner is invited to contact the undersigned at the number provided.

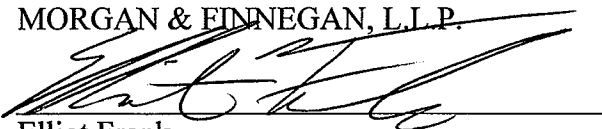
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 4208-4131US1. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 4208-4131US1. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

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